

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 6-10 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Applicants have cancelled original claims 1-5 and instead have inserted claims 6-10 which correspond thereto. The claims have been rewritten to avoid a number of problems pointed out by the Examiner and to generally place them in standard U.S. format.

Claim Objections

The Examiner objected to the language of the claims due to four specific language problems. In rewriting claims 1-5 as claims 6-10 these problems have been avoided.

Rejection Under 35 USC §112

Claims 1-5 stand rejected under 35 USC §112, first paragraph, as not being enabled by the specification. In particular, the Examiner states that the disclosure teaches the formation of the layer in a discontinuous manner. It is not completely clear from the Examiner's statement as to which language in the claim is being

objected to. It is certainly true that the final product is discontinuous. However, when the layer is first formed, it does form a continuous layer 14. Also, the laying means operates continuously. This is a specific goal of the present application so that the laying means can operate without having to stop and start while still forming a discontinuous layer in the final product. This is accomplished by making folds in the carrier sheet before the layer is formed. When the folds are replaced, separations occur in the layer leaving a discontinuous final product. However, during the middle of the process, the layer is applied continuously. Applicants have taken care in the formation of claims 6-10 to avoid any possible ambiguity in the language. Clearly, Applicants submit that this rejection is now overcome.

Claims 1-3 and 5 stand rejected under 35 USC §112, second paragraph, as being indefinite due to various language problems in the claims. Since these claims have been cancelled, this rejection is rendered moot. However, in the formation of claims 6-10, Applicants have taken care to avoid these problems. The sheet member is now defined as being moving while the superfluous phrase has been removed. The surface on which the layer is formed is now described in terms of adjacent second portions separated by folded first portions so that it is clear that although the surface is not

continuous in the sense that part of the sheet is folded under, nevertheless the layer may be formed continuously thereon since it forms a solid surface. Applicants have also avoided language such as "bring back" and other vague language. Also, "adapted" has been removed from the claims and the cut line is now defined as being formed in the fluidized substance. The "function" has been replaced by "means".

Applicants have also attempted to utilize language which is easier to understand and with fewer clumsy constructions. Accordingly, "sheet-like" has been changed to "sheet". The folded part of the sheet member is now described as a first part and the part that is not folded is defined as a second part. Only a single surface is referred to. Other language suggested by the Examiner, such as the use of upstream and downstream without "side" has also been accomplished. It is submitted that the language of the present claims is now much easier to understand and the rejection under 35 USC §112, second paragraph, is also overcome.

Applicants note that the Examiner has indicated that the prior art does not suggest the invention and that accordingly the claims are allowable over the prior art.

Conclusion

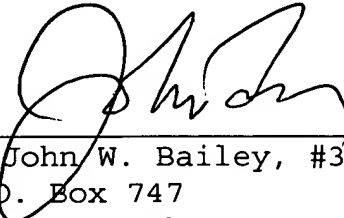
In view of the above remarks, it is believed that the claims now fully meet the requirements of 35 USC §112. In view of this, reconsideration of the rejections and allowance of all the claims is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
\_\_\_\_\_  
John W. Bailey, #32,881  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

JWB/RFG/mlr/ndb  
0445-0306P